

**REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY FEBRUARY 07, 2005 AT 7:00 P.M. VILLAGE HALL, 85 MAIN STREET, IRVINGTON, NEW YORK.**

Present: Dennis P. Flood, Mayor  
Isabel B. Milano, Trustee  
Jonathan A. Siegel, Trustee  
David A. Klassen, Trustee  
Donald P. Marra, Administrator  
Lawrence S. Schopfer, Clerk-Treasurer  
Edward J. Ritter, Deputy Clerk-Treasurer  
Lino J. Sciarretta, Village Attorney's Office  
Louis C. Grieco, Police Chief  
Gregory R. Nilsson, Superintendent of Public Works

The Board held a work session from 7:00 p.m. until 7:30 p.m. At 7:30 p.m., Mayor Flood called the meeting to order. Trustee Milano made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Siegel and unanimously approved.

Upon reconvening after executive session, the regular meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. Martin Sinon discussed garbage pails left on public streets for several days. He further spoke on neighbors and contractors plowing snow into roadways. Mayor Flood asked Donald Marra, Village Administrator to look into the situation. There were no further comments from those in attendance.

Trustee Siegel made a motion to adopt the minutes of the regular meeting of the Board of Trustees held January 18, 2005. Trustee Milano seconded the motion and it was unanimously approved.

Mayor Flood announced that there was no correspondence at this time.

**RESOLUTION 2005-07  
AUTHORIZATION TO DESIGNATE THE IRVINGTON BOARD OF TRUSTEES AS LEAD AGENCY.**

Trustee Siegel offered the following resolution, which was seconded by Trustee Milano:

**RESOLVED** to designate the Irvington Board of Trustees as lead agency with respect to a State Environmental Quality Review Act review of an environmental assessment form regarding the proposed local law amending the Railroad Zoning District.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

**RESOLUTION 2005-08  
AUTHORIZATION TO PREPARE A NEGATIVE DECLARATION IN REGARD TO THE PROPOSED LOCAL LAW AMENDING THE RAILROAD ZONING DISTRICT.**

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel:

**RESOLVED**, that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the proposed local law amending the Railroad Zoning District will have no negative impacts on the environment. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

Mayor Flood opened a public hearing on the proposed local law amending the Railroad Zoning District. After some discussion, Trustee Milano made a motion to close the public hearing. The motion was seconded by Trustee Siegel and unanimously approved.

**RESOLUTION 2005-09**

**ADOPTION OF A PROPOSED LOCAL LAW AMENDING THE RAILROAD ZONING DISTRICT.**

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel:

**WHEREAS**, the proposed local law amending the Railroad Zoning District is considered an unlisted action pursuant to the State Environmental Quality Review Act, and

**WHEREAS**, the Village Board has declared that said local law will have no negative impacts on the environment, now therefore be it

**RESOLVED**, to adopt the proposed local law amending the Railroad Zoning District.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

**RESOLUTION 2005-10**

**AUTHORIZATION TO DESIGNATE THE IRVINGTON BOARD OF TRUSTEES AS LEAD AGENCY.**

Trustee Siegel offered the following resolution, which was seconded by Trustee Klassen:

**RESOLVED** to designate the Irvington Board of Trustees as lead agency with respect to a State Environmental Quality Review Act review of an environmental assessment form regarding the proposed local law amending the Floor Area Ratio Law.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

**RESOLUTION 2005-11**

**AUTHORIZATION TO PREPARE A NEGATIVE DECLARATION IN REGARD TO THE PROPOSED LOCAL LAW AMENDING THE FLOOR AREA RATIO LAW.**

Trustee Siegel offered the following resolution, which was seconded by Trustee Klassen:

**RESOLVED**, that after careful review of the environmental assessment form, it is the determination of the Village Board of Trustees that the adoption of the proposed local law amending the Floor Area Ratio Law will have no negative impacts on the environment. Accordingly, a negative declaration will be prepared and filed in the office of the Village Clerk.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

Mayor Flood opened a public hearing on the proposed local law amending the Floor Area Ratio Law. Earl Ferguson spoke on concerns he had with the existing Floor Area Ration Law in regard to the inclusion of attic and basement space. Pat Steinschneider continued the discussion with similar concerns. Mayor Flood requested that Donald Marra, Village Administrator review the existing law with Edward Marra, Building Inspector and Peter Lilienfield, Planning Board President. After further discussion, Trustee Siegel made a motion to close the public hearing. The motion was seconded by Trustee Milano and unanimously approved.

**RESOLUTION 2005-12**

**ADOPTION OF A PROPOSED LOCAL LAW AMENDING THE FLOOR AREA RATIO LAW.**

Trustee Siegel offered the following resolution, which was seconded by Trustee Klassen:

**WHEREAS**, the proposed local law amending the Floor Area Ratio Law is considered an unlisted action pursuant to the State Environmental Quality Review Act, and

**WHEREAS**, the Village Board has declared that said local law will have no negative impacts on the environment, now therefore be it

**RESOLVED**, to adopt the proposed local law amending the Floor Area Ratio Law.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)

NAYS: NONE

**RESOLUTION 2005-13**

**AUTHORIZATION TO EXPRESS SUPPORT FOR WESTCHESTER COUNTY'S APPLICATION TO HOST THE EMPIRE STATE GAMES IN 2007.**

Trustee Siegel offered the following resolution, which was seconded by Trustee Milano:

**WHEREAS**, Westchester County has recently submitted an application to host the Empire State Games in 2007:

**WHEREAS**, the Empire State Games is the largest competition of its kind in the United States, a multi-sport event for amateur athletes patterned after the Olympic Games; and

**WHEREAS**, the Empire State Games in Westchester are expected to attract 6,000 athletes, their families, friends and coaches to the County, boosting the economy for local restaurants, hotels, retail stores and entertainment and recreational venues; and

**WHEREAS**, Westchester's many student-athletes and excellent athletic programs stand to benefit if Westchester hosts the Empire State Games in 2007; and

**WHEREAS**, hosting the Empire State Games is a great opportunity for the County to publicize its cultural, recreational and historical attractions to the entire State of New York; and

**WHEREAS**, Westchester County has never been given the opportunity to host the Empire State Games before; and

**WHEREAS**, every Westchester municipality stands to benefit from Westchester County hosting the Empire State Games in 2007; now therefore be it

**RESOLVED**, the Village of Irvington supports Westchester County's application to host the Empire State Games in 2007 and will encourage our residents to also support the application; and be it further

**RESOLVED**, that the Village of Irvington urges Governor George Pataki to select Westchester County as host of the 2007 Empire State Games; and be it further

**RESOLVED**, that a copy of this resolution be transmitted to Governor George Pataki, New York State Office of Parks, Recreation and Historic Preservation Commissioner Bernadette Castro and Westchester County Executive Andrew J. Spano

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)

NAYS: NONE

**RESOLUTION 2005-14**

**APPOINTMENT OF ELECTION INSPECTORS FOR THE MARCH 15, 2005 VILLAGE ELECTION**

Trustee Milano offered the following resolution, which was seconded by Trustee Siegel and adopted:

**RESOLVED**, to appoint to the position of Election Inspector for the March 15, 2005 Village election to be paid at a rate of \$13 per hour the following individuals:

<u>Inspector</u>	<u>Party Affiliation</u>
Frank Bosco	Democrat
Helen Uszak	Democrat
Millie Crosby	Republican
Ruth Melito	Republican
James Annicharico	Liberal
Rose Kutarnia	Democrat
Olga Morabito	NON
Agnes O'Neil	Democrat
Jack Haggerty	Democrat
Mary Russo	Republican
Margaret Baird	Republican
Helen Soyk	Republican
Virginia Clifford	Republican
Fanny O'Hara	Republican
Karen Schatzel	NON
Joe Reid	NON
Ted Okarma	Republican
John Maccia	Democrat

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

Mayor Flood asked Mr. Keith Christensen from Community Energy to review the concept of Wind Powered energy. Mr. Christensen explained the benefits of wind power in regards to the environment as well as the cost schedule. He further explained the cost savings to the Village of Irvington as more communities agree to participate.

**RESOLUTION 2005-15**  
**APPROVAL OF A CONTRACT FOR WIND ENERGY SUPPLY FOR VILLAGE ELECTRICITY**

Trustee Siegel offered the following resolution, which was seconded by Trustee Milano and adopted:

**RESOLVED**, to approve the purchase agreement between the Village of Irvington and Community Energy Inc. for the purchase of one hundred percent of the electric supply for the public buildings within the Village of Irvington. The purchase agreement will be for a period of five years beginning June 1, 2005, and be it further

**RESOLVED**, to authorize the Village Administrator Donald Marra to execute said purchase agreement subject to final review and approval of the Village Attorney.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

**RESOLUTION 2005-16**  
**AUTHORIZATION TO ACQUIRE OPEN SPACE – SHEET 11; LOT P59B**

Trustee Milano offered the following resolution, which was seconded by Trustee Klassen and adopted:

**WHEREAS**, the Village Board, by resolution no. 2004-52 adopted on May 17, 2004, approved the acquisition of Sheet 11 Lot P59B (the "Property") either through a negotiated purchase or eminent domain for the purpose of open space preservation, and

**WHEREAS**, the Village has conducted an appraisal of the Property, valuing it at \$100,000, and

**WHEREAS**, legal and related costs to acquire the property through eminent domain are estimated to be in excess of \$20,000, and

WHEREAS, an agreement has been reached for the purchase of the Property, now therefore be it

RESOLVED, to approve the purchase of the Property at a price of \$120,000, and

FURTHER RESOLVED, that the Mayor, Village Administrator, and Clerk-Treasurer are hereby authorized and empowered to execute all necessary documents and instruments and to take any action necessary and appropriate to effectuate the successful purchase of said real property.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

RESOLUTION 2005-17  
AUTHORIZATION TO FILE AN APPLICATION FOR A STATE GRANT-IN-AID FOR A MUNICIPAL WASTE REDUCTION AND/OR RECYCLING PROJECT

Trustee Milano offered the following resolution, which was seconded by Trustee Klassen and adopted:

RESOLVED to authorize the filing of an application for a State Grant-in-Aid for a Municipal Waste Reduction and/or Recycling Project with respect to the purchase of a leaf VACUUM and to authorize the Village Administrator to execute the associated state assistance contract.

The vote resulted as follows:

AYES: 4 (Mayor Flood, Trustees Milano, Siegel, Klassen)  
NAYS: NONE

RESOLUTION 2005-18  
APPROVAL OF 2004-05 BUDGET TRANSFERS

Trustee Klassen offered the following resolution, which was seconded by Trustee Milano and adopted:

Entry 2005-16  
Central Garage

To:	Supplies	1640-410	\$5,500
From:	Contingency	1990-465	\$5,500

(Account for additional supplies needed for maintenance of the Central Garage).

Entry 2005-17  
Benefits

From:	State Retirement	9010-801	\$35,341
To:	Contingency	1990-465	\$35,341

(Account for excess funds budgeted for the New York Retirement system).

Entry 2005-18  
Clerk-Treasurer

From:	Labor	3620-123	\$10,000
To:	Labor	1325-123	\$10,000

(Account for the correct allocation of budgeted funds for labor).

Entry 2005-19  
Recreation Department

From:	Contingency	1990-465	\$12,000
To:	Publicity and Printing	7310-434	\$12,000

(Account for the costs of printing brochures and newsletters from the Recreation Department).

The vote resulted as follows:

AYES:	4	(Mayor Flood, Trustees Milano, Siegel, Klassen)
NAYS:	NONE	

Trustee Klassen reported on the activities of the Water Department who repaired three water main breaks, assisted with the shutoff of water service for main repair, and cleared snow from fire hydrants throughout the village. Trustee Klassen also reported that the Beautification Committee would begin plantings at Scenic Hudson Park on March 18 and 19, 2005 and the Library announced the new Director of the Library would be Pam Strachan.

Trustee Siegel reported that the Highway Department had finished the clean up from eight (8) snow and ice occurrences and they continued picking up and recycling Christmas trees. The department also performed maintenance on the snow and ice equipment. They assisted with two (2) water main breaks and continued assistance with the Village Hall renovation project.

Trustee Milano reported on the activities of the Recreation Department as follows: Youth Baseball & Softball registration is ongoing and will continue through February. Teams and leagues are available for boys and girls from Kindergarten through fifteen (15) years of age. The Senior Citizens are holding a "Scotch Auction" Tuesday February 8, 2005 from 1pm to 3pm in the Senior Citizen Center. The Annual Senior Citizen Valentines Day Luncheon is scheduled for next Tuesday, February 15 2005 from 1pm to 3pm at the Senior Center. Teens are needed for the Ski/Snowboarding day trip to Windham Mountain scheduled for this Sunday. Contact Angela for additional information. The Recreation & Parks Department office will be open this Wednesday night until 7pm for registration for all department programs.

Village Administrator Donald Marra reported that the NYS DOT would be installing a light at Dows Lane in 2006. The DOT will be cleaning around the former Saw Mill Parkway ramp at Harriman Road as well as attempting to impede vehicular traffic from driving up the ramp.

There being no further business, the meeting was adjourned.

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Edward J. Ritter, Deputy Clerk-Treasurer